

**A. PURPOSES**

The Transylvania County Board of Education (the “board”) is committed to the goal of providing a safe and orderly learning environment in each school. The educational program, ~~and the school student behavior management plans developed at each school,~~ **school improvement plans, and in addition to** numerous other strategies identified in board policy, are intended to create such an environment and to help each student be a successful and contributing member of the school community. **As used in this policy and context, an alternative learning program or school may serve as the site to: (1) deliver educational services required by G.S. 115C-390.9 or -390.10 to a student who is serving a long-term or 365-day suspension; (2) provide concentrated support for students at risk of academic failure; and/or (3) deliver educational and other services to students who are or may be disruptive to a safe and orderly learning environment in the regular educational setting.**

~~Alternative learning programs or schools are provided as an option for those instances in which a student’s behavior management or academic performance needs cannot be met in a regular educational setting. The purposes of an alternative learning program or school are: (1) to intervene and address problems that prevent a student from achieving success in the regular educational setting; (2) to reduce the risk that a student will drop out of school by providing resources to help the student resolve issues affecting his or her performance at school; (3) to return a student, if and when it is practicable, to the regular educational setting with the skills necessary to succeed in that environment; and (4) to preserve a safe and orderly learning environment in the regular educational setting.~~

**B. STANDARDS FOR ALTERNATIVE LEARNING PROGRAMS/SCHOOLS**

~~Alternative learning programs and schools should serve the purposes described above. Such alternative education programs are expected to meet all board policy and state requirements. In addition, alternative education programs and support services should be designed to facilitate students’ transition back to the regular educational setting when appropriate.~~

~~All school personnel at alternative learning programs or schools should receive training so that students enrolled in such programs or schools receive appropriate educational services.~~

~~The superintendent or designee shall direct school officials at each alternative learning program or school to develop a behavior management plan, a school improvement plan, and a parental involvement plan in accordance with board policy. A conflict resolution plan, as provided in policy 3431, Conflict Resolution, may be included in the school improvement plan. The board encourages the principal and other school personnel, in developing these plans, to review successful alternative education programs and make effective use of the resources provided by the superintendent.~~

~~The superintendent and board will review these plans in accordance with board policy. While providing flexibility at the school level to develop the plans, the superintendent and board will not approve any plan that is not reasonably likely to meet the purposes of an alternative learning program or school.~~

Prior to implementing a new alternative learning program or school, the board will develop a program proposal that is consistent with the State Board of Education standards for alternative learning programs. The board then will submit the proposal to the State Board for its review. After the proposal has been reviewed by the State Board, the board will consider any recommendations from the State Board to modify the proposal before implementing the alternative learning program or school.

The board will review on a regular basis whether the school system's alternative learning programs and schools comply with State Board standards.

## C. TRANSFER TO ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS

### 1. Basis for Transfer

Students generally are assigned to a school based on attendance area. However, as provided by law, the board may assign any student to a school outside of his or her attendance area in order for the student to attend a specialized school or for any other reason the board, in its sole discretion, deems sufficient. **In all cases, the assignment or transfer of a student with a disability will comply with applicable federal and/or state requirements for students with disabilities.**

Students may be transferred to an alternative learning program or school on a voluntary or involuntary basis **under any of the following circumstances**; ~~or pursuant to a disciplinary suspension. The transfer process is provided below.~~

- a. **the student's parent or guardian and the principal agree, and a multi-disciplinary team agrees, that the transfer would be in the best interest of the student and the efficient administration of the public schools;**
- b. **the student has been recommended for long-term suspension or expulsion;**
- c. **the student poses a significant disruption to the educational environment in the regular educational setting due to continuing social/behavioral problems;**
- d. **the student is at risk of dropping out or not meeting standards for promotion due to academic, developmental, and/or behavioral problems, and resources in addition to or different from those available in the regular**

- 89 educational setting are needed to address the issue;
- 90
- 91 e. the student is a clear threat to the safety of other students or personnel; or
- 92
- 93 f. the student has been charged with a felony or with any crime that
- 94 allegedly endangered the safety of others, and it is reasonably foreseeable
- 95 that the student's continued presence will significantly disrupt the regular
- 96 educational environment.
- 97

98 The board encourages parental involvement in decisions regarding the child's

99 education and in identifying effective options for addressing concerns regarding

100 the child's behavior or academic performance.

101

## 102 2. Responsibilities of Personnel at Referring School

103

104 In addition to any other procedures required by this policy, prior to referring a

105 student to an alternative learning program or school, the principal of the referring

106 school must:

- 107
- 108 a. document the procedures that were used to identify the student as being at
- 109 risk of academic failure or as being disruptive or disorderly;
- 110
- 111 b. provide the reasons for referring the student to an alternative learning
- 112 program or school; and
- 113
- 114 c. provide to the alternative learning program or school all relevant student
- 115 records, including anecdotal information.
- 116

## 117 ~~3. Responsibilities of School Personnel at the Alternative Learning Program or~~

## 118 ~~School~~

119

120 ~~In addition to any other procedures required by this policy, once a student is~~

121 ~~placed in an alternative learning program or school, the appropriate school~~

122 ~~personnel of the program or school must meet to review the student's records and~~

123 ~~any other documentation forwarded by the referring school. Based on these~~

124 ~~records and any input provided by the parent or guardian concerning the student's~~

125 ~~needs, the personnel at the alternative program or school shall determine the~~

126 ~~support services and intervention strategies that are recommended for the student.~~

127

128 ~~If a student who is subject to G.S. 14-208.18 is assigned to an alternative school,~~

129 ~~the student must be supervised by school personnel at all times.~~

130

## 131 3. Voluntary Referral

132

~~The board encourages parental involvement in decisions regarding the child's education and in identifying effective options for addressing concerns regarding the child's behavior or academic performance.~~

~~Voluntary transfers are encouraged whenever possible. A voluntary transfer is an agreement by the parent or guardian, the principal, and the disciplinary review committee that transfer is an appropriate option for the particular student. After agreement has been reached, the principal of the regular educational setting and the principal of the alternative learning program or school shall arrange the process and time for the transfer. The principal of the regular educational setting shall notify the superintendent of the transfer.~~

#### ~~4. Involuntary Referral~~

~~A student may be required to be transferred from the regular educational setting to an alternative learning program or school under any of the following circumstances:~~

- ~~g. the student presents a clear threat to the safety of other students or personnel;~~
  - ~~h. the student presents a significant disruption to the educational environment in the regular educational setting;~~
  - ~~i. the student is at risk of dropping out or not meeting standards for promotion, and resources in addition to or different from those available in the regular educational setting are needed to address the issue;~~
  - ~~j. the student has been charged with a felony or a crime that allegedly endangered the safety of others, and it is reasonably foreseeable that the educational environment in the regular educational setting will be significantly disrupted if the student remains; or~~
  - ~~k. if the Code of Student Conduct provides for a transfer as a consequence of the student's behavior.~~
- a. **Students who are recommended for long-term suspension or expulsion and who receive due process through the disciplinary process for violations of the Code of Student Conduct do not require additional referral procedures prior to transfer.**
- b. Prior to ~~an involuntary~~ a transfer in circumstances where a student is experiencing academic or developmental difficulties or ~~chronic~~ **chronic continuing** social/behavioral problems, the principal or ~~disciplinary~~ **school-based**

177 committee of the referring school shall document the student's behavior  
178 and academic performance and efforts to assist the student in the regular  
179 educational environment ~~as provided in Section C.1.~~ School  
180 administrators are encouraged to meet with the student's parents or  
181 guardians to try to reach a consensus on how to address the student's  
182 difficulties at school.

183  
184 ~~The preceding steps are encouraged, but not required in the case of an involuntary~~  
185 ~~transfer arising from a disciplinary reassignment or when the student's behavior~~  
186 ~~immediately endangers other students or personnel.~~

- 187  
188 c. ~~If an agreement for voluntary transfer is not reached and a basis for~~  
189 ~~involuntary transfer exists.~~ **In all cases where a basis for transfer exists,**  
190 **other than where the student has received due process pursuant to a**  
191 **recommendation for long-term suspension or expulsion,** the principal ~~may~~  
192 **must** refer the student to a multi-disciplinary team to determine whether  
193 the student should be transferred to an alternative school. The principal  
194 must provide in writing: (1) an explanation of the student's behavior or  
195 academic performance that is at issue; (2) documentation or a summary of  
196 the documentation of the efforts to assist the student in the student's  
197 regular educational setting, if applicable; and (3) documentation of the  
198 circumstances that support the referral. A copy of the referral and other  
199 documentation must be provided to the parent or guardian by certified  
200 mail or in person.

201  
202 The multi-disciplinary team shall consist of the student's parent or  
203 guardian and at least three school system employees who are informed  
204 about the student's needs. The team shall meet to consider the principal's  
205 referral and determine whether the student will be assigned to an  
206 alternative school **and shall perform all other duties assigned to it by State**  
207 **Board of Education policy.** The student's parent or guardian shall be  
208 provided written notice of the time, place, and date of the meeting.

209  
210 At the meeting, the multi-disciplinary team shall determine whether the  
211 student will be transferred to the alternative school. The student's parent  
212 or guardian shall be provided written notice of the team's decision, as well  
213 as notice of the parent or guardian's appeal and due process rights. If the  
214 student's parent or guardian attended the team meeting, such notice shall  
215 be provided at the end of the meeting. If the student's parent or guardian  
216 did not attend the meeting, such notice shall be provided by certified mail  
217 within one business day of the meeting. If the multi-disciplinary team  
218 approves the transfer, the principal of the regular educational setting and  
219 the principal of the alternative school shall make all necessary  
220 arrangements.

221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264

**4. Responsibilities of School Personnel at the Alternative Learning Program or School**

Once a student is placed in an alternative learning program or school, the appropriate school personnel of the program or school must meet to review the student's records and any other documentation forwarded by the referring school. Based on these records and any input provided by the parent or guardian concerning the student's needs, the personnel at the alternative program or school shall determine the support services and intervention strategies that are recommended for the student.

If a student who is subject to G.S. 14-208.18 is assigned to an alternative school, the student must be supervised by school personnel at all times.

**5. Assignment of Student with Disabilities to Alternative Programs/Schools**

Students who receive services under the Individuals with Disabilities Education Act (IDEA) are entitled to all of the processes and protections pursuant to the IDEA. All additional requirements specific to the assignment of students with disabilities to an alternative program or school established by State Board of Education policy shall be observed. ~~If the principal intends to refer for an involuntary transfer to the alternative school a student who is eligible for services under the Individuals with Disabilities Education Act (IDEA), the principal shall first convene the student's Individual Education Program (IEP) team to determine whether such a transfer constitutes a change in placement for the student. All decisions regarding changes in a student's placement or service delivery must be made by the student's IEP team. If the IEP team determines that the proposed transfer would not constitute a change in placement, the principal shall refer the proposed transfer to the multidisciplinary team for consideration in accordance with the process described in subsection C.4, above.~~

~~All additional requirements specific to the assignment of students with disabilities to an alternative program or school established by State Board of Education policy shall be observed.~~

**6. Appeals Process**

**D. APPEALS PROCESS**

If the student's transfer is the result of an IEP team decision for a student with a disability, parents or guardians who are dissatisfied with the decision must comply with the due process procedures set forth in *Procedures Governing Policies and Services for Children with Disabilities*, as adopted by the State Board of Education.

265  
266 In all other cases, within three business days of receiving written notice of the  
267 ~~multi-disciplinary team's decision~~ to assign the student to an alternative program  
268 or school, the parent or guardian may appeal the decision to the superintendent,  
269 who shall review the documentation and render a decision within five business  
270 days, absent extraordinary circumstances that require additional response time.  
271 Parents and guardians who are dissatisfied with the superintendent's decision may  
272 appeal to the board. The board will hear the appeal in closed session and will  
273 follow its procedures as provided in policy 2500, Hearings Before the Board.  
274 During the period of the appeal, the student may be transferred to the alternative  
275 learning program or school, except as prohibited by the IDEA.  
276

## 277 E. ADMINISTRATIVE ASSIGNMENTS

### 278 1. Assignment During a Long-Term or 365-Day Suspension

279  
280 ~~A student who receives a long term or 365 day suspension may be offered~~  
281 ~~services in the alternative learning program or school for a portion or the full~~  
282 ~~duration of the suspension. See policy 4353, Long Term Suspension, 365 Day~~  
283 ~~Suspension, Expulsion.~~ Any student who receives a long-term or 365-day  
284 suspension must be offered alternative education services unless the  
285 superintendent provides a significant or important reason for declining to offer  
286 such services. Alternative education services include, but are not limited to, the  
287 alternative programs or schools established in this policy in accordance with G.S.  
288 115C-105.47A.  
289

### 290 2. Assignment of Student Sex Offenders

291  
292 The board may decide, pursuant to G.S. 115C-390.11(a)(2), to assign a student  
293 who is subject to G.S. 14-208.18 to an alternative learning program or school.  
294  
295

## 296 F. TRANSITION FROM ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS

297  
298 In most instances, the goal of the alternative learning program or school is to return the  
299 student to the regular educational setting with the skills necessary to succeed in that  
300 environment as soon as practicable. The personnel of the alternative learning program or  
301 school and those of the regular educational setting shall work together to help create a  
302 successful transition for the student.  
303

304 If the student is not or will not be returned to the regular educational setting, the  
305 alternative learning program or school will assist in the student's transition to other  
306 educational settings, including other programs offered by the school system or a  
307 community college or vocational school.  
308

309 For students identified as eligible under the IDEA, the student's IEP team shall make all  
310 transition decisions that would result in a change in placement.

311  
312 **G. ASSIGNMENT OF PROFESSIONAL PERSONNEL TO ALTERNATIVE LEARNING PROGRAMS**  
313 **OR SCHOOLS**

314  
315 When assigning professional personnel to an alternative learning program or school, the  
316 superintendent shall consider the experience and evaluation ratings of the professional  
317 employee who may be assigned to the program or school. As school system resources  
318 allow, the superintendent shall strive to avoid assigning to an alternative school or  
319 program less experienced professional personnel or professional personnel who have  
320 received ~~an evaluation rating of less than "accomplished" within the last three years~~  
321 **unfavorable evaluations. Additionally, all school personnel at alternative learning**  
322 **programs or schools should receive training so that students enrolled in such programs or**  
323 **schools receive appropriate educational services.**

324  
325 **H. EVALUATION OF ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS**

326  
327 **1. State Accountability**

328  
329 The board will determine annually how each alternative school will participate in  
330 the State Alternative Schools' Accountability Model. The superintendent shall  
331 provide for this information to be reported to the North Carolina Department of  
332 Public Instruction by August 1 of each year.

333  
334 **2. Information to be Reported to the Board of Education**

335  
336 Each year, the board will evaluate each alternative learning program or school  
337 based upon reports provided by the superintendent and any other information the  
338 board wishes to consider. ~~In addition to data required by policy 3430, School~~  
339 ~~Improvement Plan, each alternative learning program or school must report the~~  
340 ~~following information annually to the board:~~

341  
342 a. ~~referral patterns from the regular educational setting, including age, race,~~  
343 ~~gender, and method of transfer (voluntary, involuntary, or pursuant to~~  
344 ~~suspension);~~

345  
346 b. ~~drop-out rates;~~

347  
348 c. ~~how long students stay at the alternative learning program or school and~~  
349 ~~where they go (including the regular educational setting, community~~  
350 ~~college/technical schools or dropping out) when they leave the alternative~~  
351 ~~program or school;~~  
352



- 353 ~~d. the training and development of professional employees assigned to the~~  
354 ~~alternative learning program or school;~~  
355  
356 ~~e. a list of services or programs that the alternative learning program or~~  
357 ~~school coordinates with other governmental agencies;~~  
358  
359 ~~f. the school's results under the state's alternative school's accountability~~  
360 ~~model, as applicable; and~~  
361  
362 ~~g. any other information the superintendent requires.~~  
363

364 ~~To assist the board in evaluating an alternative learning program or school, each~~  
365 ~~alternative school or program's school improvement plan must include measures~~  
366 ~~of the effectiveness of the alternative program or school.~~  
367

### 3. ~~Items to be Considered~~

369  
370 ~~In addition to any other outcomes the board deems important, the board will~~  
371 ~~determine whether:~~  
372

- 373 ~~a. a diverse group of students is referred to the alternative learning program~~  
374 ~~or school;~~  
375  
376 ~~b. the alternative learning program or school complies with State Board~~  
377 ~~standards;~~  
378  
379 ~~c. the alternative learning program or school incorporates best practices for~~  
380 ~~improving student academic performance and reducing disruptive~~  
381 ~~behavior;~~  
382  
383 ~~d. school personnel at the alternative learning program or school are well-~~  
384 ~~trained and provided with appropriate professional development;~~  
385  
386 ~~e. the alternative learning program or school is organized to provide~~  
387 ~~coordinated services;~~  
388  
389 ~~f. students at the alternative learning program or school receive high quality~~  
390 ~~and rigorous academic instruction; and~~  
391  
392 ~~g. the alternative learning program or school assists students in transitioning~~  
393 ~~back to the regular educational setting or to other educational settings.~~  
394

395 Legal References: G.S. 14-208.18; 115C-47(32a), -105.27, -105.47A, -105.48, -276(r), -288, -  
396 367, -369, -390.7, -390.9, -390.10, -390.11; State Board of Education Policy ACCT-038, **ALTP-**

397 ~~002~~, DROP-001, EXCP-000~~4~~; *Policies Governing Services for Children with Disabilities*, as  
398 amended (Public Schools of N.C.); *Policies and Procedures for Alternative Learning Programs*  
399 *and Schools* (NC Dept. of Public Instruction, October 2014), available at  
400 [https://eboard.eboardsolutions.com/Meetings/Attachment.aspx?S=10399&AID=31595&MID=1](https://eboard.eboardsolutions.com/Meetings/Attachment.aspx?S=10399&AID=31595&MID=1590)  
401 [590](https://eboard.eboardsolutions.com/Meetings/Attachment.aspx?S=10399&AID=31595&MID=1590)  
402  
403 Cross References: Parental Involvement (policy 1310/4002), Hearings Before the Board (policy  
404 2500), School Improvement Plan (policy 3430), Conflict Resolution (policy 3431), Student Sex  
405 Offenders (policy 4260), School Plan for Management of Student Behavior (policy 4302),  
406 Student Discipline Records (policy 4345), Long-Term Suspension, 365-Day Suspension,  
407 Expulsion (policy 4353), Assignments/Reassignments/Transfers (policy 7440)  
408  
409 Adopted: August 1, 2011  
410  
411 Revised: January 19, 2016; June 5, 2017; [DATE]

REVISED